

Minutes of a Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, May 6, 1986, at 7:30 p.m.

Present: John Lombardi, Councilman
Victor Prusinowski, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman

Also Present: Richard Ehlers, Town Attorney

Absent: Joseph F. Janoski, Supervisor

Councilman Prusinowski called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

Councilman Prusinowski, "I want to welcome all of you to our Town Board Meeting tonight. The Supervisor is off on a two week vacation. He will not be present tonight. In the audience we have the Chief of Police and other members of the town staff, department heads, other elected officials. And we will recognize a motion first to approve the minutes of the meetings held on April 7th and April 15th and also April 1st.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Minutes of Regular Board Meetings held on April 1st and April 15th and Special Board Meeting held on April 7th are dispensed without objection and be approved.

Councilman Prusinowski, "I think we have to amend. Ok. We have to take April 1st off the table because we have an amendment to it."

Irene Pendzick, "Do you want to move the 7th and the 15th and then address the 1st by itself."

Councilman Prusinowski, "John Lombardi made a motion to approve the minutes of April 7th and 15th."

Councilman Lombardi offered the following resolution which was seconded by Councilman Pike.

RESOLVED, that Minutes of Regular Board Meeting held on April 15th and Special Board Meeting held on April 7th, 1986 are dispensed without objection and be approved.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

5/6/86
Councilman Prusinowski, "Now we need a motion to take the 1st off the table. I'll make that motion."

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that Minutes of Regular Board Meeting held on April 1, 1986 be removed from the Table for action by the Town Board.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

Councilman Boschetti, "Mr. Chairman there was a motion to amend."

Councilman Prusinowski, "Well we're going to take it off the table then we're going to amend it."

Councilman Boschetti, "Ok."

Councilman Prusinowski, "Ok. Now we'll move to amend the minutes of the meeting of April 1st. I believe there was correspondence from both myself and Mr. Boschetti concerning that fact. They had me down for a vote. It was corrected immediately. So we will move the minutes of the meeting of April 1st as amended."

Councilman Pike, "Point of order. Is the amendment the language and the memorandum we got from Lou?"

Councilman Prusinowski, "Yes. Correct."

Councilman Pike, "And we have no other independant recollection of what was said at the meeting?"

Councilman Prusinowski, "Not to my knowledge Rob. You would have to ask the Town Clerk."

Councilman Pike, "The reason fell out because the recording device was not working. Is that correct Irene."

Irene Pendzick, "That's right."

Councilman Prusinowski, "Ok. Moved and seconded."

Irene Pendzick, "Now this is of Councilman Boschetti's memo?"

Councilman Prusinowski, "Yes and assuming that my vote was corrected."

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, Minutes of Regular Board Meeting held on April 1, 1986 contained a discrepancy due to the malfunction of the tape recorder, and

WHEREAS, the resolution to approve the minutes was tabled pending an amendment.

NOW, THEREFORE, BE IT

RESOLVED, Minutes of Regular Board Meeting held on April 1, 1986 contain the following language to Councilman Boschetti's statement on page 263:

"There was no Personnel Committee recommendation made and no subsequent discussion of this resolution. I remained for the entire work session and left at the announced conclusion of the meeting."

FURTHER RESOLVED, that Councilman Prusinowski's vote on resolution #202 be recorded as "No".

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

Councilman Prusinowski, "Ok. We'll move right to reports."

REPORTS

Pine Barrens Review Commission-Annual Report, 1985.

Filed

Tax Receiver-Report of collections as of April 29, 1986; \$13,084,074.

Filed

Conservation Advisory Council-Minutes of April 23, 1986.

Filed

Recreation Department-Monthly Attendance report for March 1986.

Filed

Police Department-For month of March, 1986.

Filed

Town Clerk-For month of April, 1986.

Filed

Supervisor-Annual report for Fiscal Year ending December 31, 1985.

Filed

Building Department-For month of April, 1986.

Filed

Supervisor-Annual report for fiscal year ending December 31, 1986.

Filed

Building Department-For month of April, 1986.

Filed

OPEN BID REPORT - USED 1980 or NEWER FORD DUMP TRUCK HIGHWAY DEPARTMENT

Bid Date: April 28, 1986 at 11:00 a.m.
3 Bids Submitted

#1 NAME: CASSONE LEASING, INC.
ADDRESS: 1950 LAKELAND AVENUE, RONKONKOMA
TOTAL BID: \$16,500.00

REPORTS Continued

#2 NAME: SAM ALLEN'S MODERN MACHINERY INC.
ADDRESS: ROUTE 25, BOX P, CORAM.
TOTAL BID: \$8,800.00

#3 NAME: BURNS FORD, INC.
ADDRESS: 359 WEST JERICHO TURNPIKE, HUNTINGTON
TOTAL BID: \$17,716.00 *Bid Received in mail at 11:30 a.m.

OPEN BID REPORT - BAITING HOLLOW LANE WATER EXTENSION NO. 25

Bid Date: May 1, 1986 at 11:00 a.m.
4 Bids Submitted
(See Water District Minutes)

OPEN BID REPORT - WATER METERS - WATER DISTRICT

Bid Date: April 21, 1986 at 11:00 a.m.
1 Bid Submitted
(See Water District Minutes)

OPEN BID REPORT - 4-WHEEL DRIVE VEHICLE - SANITATION DEPT.

Bid Date: April 21, 1986 at 11:00 a.m.
1 Bid Submitted

#1 NAME: HERB OBSER MOTORS, INC.
ADDRESS: ROUTE 58, RIVERHEAD, NY
TOTAL BID: \$13,234.00

Irene Pendzick, "That concludes all reports."

Councilman Prusinowski, "And we'll go right on to applications."

APPLICATIONS

Parade Permit-Riverhead Fire Dept. for 7/12/86 at 10:00 a.m. Filed

Site Plan-Gagliardo Associates (Retail store, Sound Avenue and Park Road, Riverhead). Filed

Site Plan-Creative Group Architects (convenience store, 1212 East Main Street). Filed

APPLICATIONS Continued

Petition-North For Management Group (Lateral sewers, Route 58). (See Sewer District Minutes).

File

Condominium Application in a residential "C" District-Alvin Benjamin (181 units on 54± acres, Middle Road).

File

Major Subdivision-Union Avenue Associates (139 lots on 160 acres, Union Avenue).

File

Site Plan-A. Lawrence Galasso (storage building and lockers in Aquebogue).

File

Special Permit-Robert Entenmann (222 units on 111 acres, Sound Avenue).

File

Petition-For water district extension on Union Avenue, North of Route 25. (See Water District Minutes)

File

Petition-For water district extension at n/e corner of Main Road and Union Avenue. (See Water District Minutes)

File

Parade Permit-Combined Veterans Committee, for May 26, 1986 at 9:00 a.m.

File

Councilman Prusinowski, "Ok. The time has not yet arrived yet for the first public hearing. We'll go right to correspondence."

CORRESPONDENCE

Div. of Equalization and Assessment, 4/7/86-Re: Temporary Certification of Members of Board of Review.

File

Tina Vitale, 4/15/86-Submitting resignation as of 5/30/86.

File

Dean & Teresa Atchison, 4/16/86-Advising that as owners, they do not relinquish property rights where asphalt pavement covers property.

File

Dept. of Army, 4/17/86-Advising of request for mooring in Meeting House Creek.

File

Planning Board, 4/23/86-Recommendng Route 25, Jamesport be rezoned Business CR.

File

H2M Corp., 4/4/86-Advising that preliminary cost estimates for water extension No. 35 & 36, Wading River have been prepared.

File

Dept. of Internal Revenue, 4/9/86-Advising that Lizza Industries has been sent a notice of levy in the amount of \$976,361.66.

File

Environmental Quality Review Board, 4/17/86-Advising that application of Alden Young is a Type II Action.

File

CORRESPONDENCE Continued

Planning Board, 5/6/86-Recommendng that applications of Young and Young and Edward and Stacy Worth be approved.

Filed

State Management Office-Re: Hurricane Conference on 5/28 and 5/29/86.

Filed

Councilman Prusinowski, "Thank you Mrs. Pendzick. We have a whole list of unfinished business which I will not go into detail. It's published on the agenda notice that we have here available to the public. And if anybody has any questions on it, they can ask any of the individual Town Board members at any time or come up to the microphone."

UNFINISHED BUSINESS

Kimbroke Associates-Special Permit for condominiums on Sound Avenue.

Anthony Conforti-Site Plan for office building, Howell Lane and East Main Street.

Atrium Group-Special Permit to use 2 residential homes in industrial area.

Barry Wedel-Site Plan to alter sign manufacturing building on West Main Street.

Rollin Hargis-Special Permit for 20 couple residence, Sound Avenue.

Miles Cane-Change of Zone on n/s of Route 58.

Motel on the Bay-Special Permit to change to 20 condominium units.

Robert Hartmann-Change of Zone, Agricultural "A" to Residence "C", Doctors Path.

Al Lane-Site Plan for retail store, Route 58.

Riverhead Medical Specialists-Site Plan for alteration to building, Route 58.

M.H. of L.I., Inc. (K. Dunleavey)-Change of Zone Residence "A" and Industrial "A" to Business "B".

Guido Cricchio-Site Plan to add to building, Route 25A, Wading River.

Robert Entenmann-Change of Zone for housing on 111.6 acres on Sound Avenue.

John & Elaine Villano-Special Permit for warehouse and sales, Pulaski Street.

UNFINISHED BUSINESS Continued

Nino Milatello-Site Plan for retail stores, Route 25A, Wading River.

Rita Shah-Site Plan for professional office, Route 25A, Wading River.

North Fork Plumbing-Site Plan for addition to building, West Main Street.

Dubois Smith-Site Plan for farm equipment sales building, East Main Street.

Councilman Prusinowski, "The time for the first public hearing is not here yet, so I will recognize anybody who wishes to be heard on any subject whatsoever. Yes sir."

Paul Baker, Wading River, "My name is Paul Baker. I am the president of Wildwood Hills Property Owners Association, Wildwood Hills in Wading River. The Wildwood community is present here this evening because we would like to know why the Town Board has not enforced its ordinances. Eileen Syvertsen of Little Bay Realty in Wading River has spot built a house in our community. The Zoning Board at the original variance hearing, assured the Wildwood residents that any resulting water damage would be corrected by the owner. Ms. Syvertsen and her company have callously destroyed our property. We have steadfastly notified you, our Town Board. We have not received one word of communication from you concerning this. Four weeks ago you issued this company a C.O. We wonder why our cries to you have gone unanswered. We wonder why you do not enforce the town ordinances against developers, but continue to hassle the small home owner about minor changes to his residence. We are here tonight because we still hope - hope that our Town Board is not callous. Yet at the same time we can not help but wonder if the Riverhead Town Board practices discrimination."

Councilman Prusinowski, "Ok. Paul we've got all the correspondence in front of you. Also I have a letter dated here to the Riverhead Town Board. I think that was stated on April 11, 1986. We have the Zoning Board of Appeals decision. We have your petition. The Town Board today at its work session discussed your situation. The Zoning Board of Appeals decision is and is always is in the Town of Riverhead, acted on independently of the Riverhead Town Board. As you know. What we're going to look into here is whether or not the provisions of the Zoning Board of Appeals determination which was issued back in 1985 is being adhered to. Should that end tomorrow morning at 10 o'clock, the highway committee; John Lombardi and myself and the Superintendent of Highways will go down to the area and visit this site personally. In the meantime, the Town Attorney has contacted the developer of the property and Dick why don't you fill them in on what specifically or generally took place today with the conversation concerning the drainage problem."

PERSONAL APPEARANCES Continued

Richard Ehlers, "Generally we discussed his responsibility as compared to the Town's responsibility as compared to the individual's responsibility. And it was his contention that initially he would be willing to pay for one half of the work or the cost of the work to solve the drainage. I'd just like to relay the story. I'm not telling you what anybody agreed to. His initial comments were that he would be happy to pay for one half of the cost of repairing the situation. It was at that time that the Board directed me to ask him to meet with the Board at 10 o'clock tomorrow so the Board members on the committee could discuss with him the full extent of responsibility."

Councilman Prusinowski, "Ok. I have one question for you. I see a number of names here on an April 10, 1986 letter. I want to know if this was stated. In reading the Zoning Board of Appeals determination, I do not see this language on there. You say; "We the undersigned were present at a meeting and were assured by the Board (meaning the Zoning Board of Appeals) that our roads would be repaired should any damage occur as a result of the use of the heavy equipment by the builder. That should any flooding occur as a result of the grading of the property, the builder would be responsible to contain same". Who made that statement?"

Paul Baker, "Alright. There is a little problem. I'm going to ask one of our community members to come up here and explain that."

Councilman Prusinowski, "Sure. Because that is not a determination."

Paul Baker, "Can I just clarify something. It's really come to our attention in investigating this whole thing to find out what the problem is, is rather strange. That that there are no verbatim transcripts of our Zoning Board hearings. There are no written records kept of our Zoning Board hearings. Everything is done verbally. The tapes are erased after thirty days."

Councilman Prusinowski, "Alright. I would like to know how many builders within the Town of Riverhead can construct a home that they've applied for in thirty days? I don't many. And I'm sure if you went and checked the record, you would find out that there are a great many builders in the Town of Riverhead who do not complete construction within thirty days. That leaves the average homeowner without anything, nothing, stranded, out in the cold. You are the last resort that that individual has. So I will then turn it over at this particular point to Sue Higgins, the secretary who will further explain to you what was said at the meeting."

Councilman Prusinowski, "Fine. Ok."

Sue Higgins, Wading River, "Hi. I spoke to Mr. Janoski on April..."

Councilman Prusinowski, "Could you just state your name for the record."

PERSONAL APPEARANCES Continued

Susan Higgins, "Susan Higgins. I spoke to Mr. Janoski on April 10th. I explained to him the situation. I told him that if all or any number of people from our area, not necessarily our association members, were greatly concerned about the water on the corner. This is not a puddle. This is a flood. It's six to eight inches deep. It blocks the entire intersection of Cedar and Ravine Roads. The intersection is unusable. There is still water in it today. There are huge holes in it. When we went to the Zoning Board meeting we were very concerned about the house being built at all. Number one; the property is very small. Number two; we maintain our own roads in that area and we were concerned about them bringing in heavy equipment. At the Town Board meeting it was specifically asked, the Zoning Board meeting (excuse me) whether or not our roads would be put back in the condition they were in. And the Zoning Board assured us yes they would and so did Mr. Golfo who was present at that meeting. We also asked about any drainage problems. If a drainage problem occurred, who would be responsible. And the Zoning Board assured that Mr. Golfo must contain the water from the property."

Councilman Prusinowski, "Ok. And that's exactly what it says in here. It says all the drainage will be self-contained and it further says amended with the following conditions that all necessary and appropriate measures shall be taken to insure the drainage from this lot is self-contained. Is that correct?"

Susan Higgins, "I believe so. Yes."

Paul Baker, "That was prior to the ad of the...."

Councilman Prusinowski, "Alright. This was issued on August, 1985."

Susan Higgins, "That is correct. Alright. After that I spoke to Mr. Janoski. And when I spoke to Mr. Janoski I asked him to put in writing what he had said to me. He said to me; if this is the case and it is the case, then he would see to it that the ordinance would be enforced."

Councilman Prusinowski, "You mean the Zoning Board of Appeal's decision?"

Susan Higgins, "That the water would be contained."

Councilman Prusinowski, "Ok. The Zoning Board of Appeals decision."

Susan Higgins, "I didn't hear from Mr. Janoski. Over that weekend, over the weekend of April 10th and April 14th, we just stood on the corner and asked people to sign to have the ordinance enforced. Not who's fault it was. I have people coming to my house asking me could they please sign. It's a very small community. It is being destroyed."

PERSONAL APPEARANCES Continued

Councilman Prusinowski, "Just so that we know before, this lot, to my understanding was that before the lot was built what was the situation in the neighborhood before the house was built?"

Susan Higgins, "What do you mean? With the water?"

Councilman Prusinowski, "Yes."

Susan Higgins, "We had a puddle that dried up in 24 hours."

Councilman Prusinowski, "But there was some flooding at the corner."

Susan Higgins, "Not flooding. It was a puddle like any other puddle. This is not a puddle. This is a flood."

Paul Baker, "The grating of the property was changed. Alright. Truck loads of gravel trucks, truck loads of sand were brought in to raise the grade of the property so the water would exit onto the road and that we would have to then pay for the repair of such."

Councilman Prusinowski, "Ok. Well we're going to be down there tomorrow at 10 o'clock. If you would like to join us, you are more than welcome. The purpose of the on site inspection is the Town Board wants an actual physical inspection of the site. We have been there before with the Highway committee on other matters in the neighborhood but not specifically to look at this particular property."

Paul Baker, "Our first question Mr. Prusinowski is still unanswered. Why was a C.O. issued on that property two weeks after we appeared before, asked for your help and then were turned around and cast off to the wind again when that C.O. was issued two weeks ago."

Councilman Prusinowski, "Well I'll have to refer that to the Town Attorney who will talk to the Building Department."

Richard Ehlers, "The Zoning Board of Appeals is the final arbitor of the decisions of the Building Department and the Zoning Board of Appeals directs the action of the Building Department as to any allegations that they're not doing their job correctly. You referred to the thirty day period. The thirty day period for the retention of those hearing transcripts goes back to the fact that your right to appeal either as a resident in the area of a variance or as the applicant for a variance, by state law expires after 30 days. So it's not our decision. We just operate within the state law that provides for variances which is; if no one contests the variance by filing a petition in the nature of article 78 of the civil procedure law within 30 days, there is no judicial recourse to that decision except for a mis-statement of facts or some other extreme circumstances."

PERSONAL APPEARANCES Continued

Paul Baker, "Which is sort of what we're talking about here."

Richard Ehlers, "It's difficult for me because I'm listening to your comments about containing the water on the property and there seems to be some question as to the interpretation of the Zoning Board's phraseology at the public hearing."

Paul Baker, "No we're not talking about interpretation Mr. Ehlers. We're talking about an action that was accomplished. The granting of a C.O. to an individual when the conditions of the original variance were never met. And when called to your attention, were not obviously dealt with."

Richard Ehlers, "A person is entitled to a certificate of occupancy if they met the conditions of the building permit. I'm sure many of you have been frustrated by similar problems in the past."

Paul Baker, "Absolutely."

Susan Higgins, "They weren't met. They figured if the flooding occurred, that it would be his responsibility to contain it. Flooding has occurred. He has not contained it."

Richard Ehlers, "That is not... Excuse me. But that's not what the resolution says. The resolution says that he must contain the water from his property. Not that he must accept your water. If you were led to believe...."

Unidentified Man, "Was there a tax study done before the building of that house?"

Councilman Prusinowski, "Excuse me one minute. You'll have to... I'll recognize you. We do have some public hearings but we do have a procedure that we can allow.... What I'm going to do is just if you stand back for a minute, I'm going to call the first public hearing to order and then I'm going to recess it and we'll continue this discussion. Irene, would you read the notice of publication for the 7:45 public hearing and then we'll recess it and continue this discussion."

PUBLIC HEARING - 7:45 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, May 6, 1986 at 7:45 p.m. to hear all interested persons regarding: The Proposed Condemnation by the Town Board, Town of Riverhead as governing body of Riverhead Public Parking District No. 1 to be used for Public Parking purposes of premises north and south of First Street, including First Street, lying between Roanoke Avenue and East Avenue consisting of 7 taking parcels.

370700
PUBLIC HEARING Continued

CORRESPONDENCE:

Parking District Commission, 5/6/86

Stating that they view the building of the First Street Parking lot as necessary to the health of the Downtown business district and the Riverhead community in general and urge the Town Board to ensure its construction.

Councilman Prusinowski, "Stan, I know you're out there to speak on this but we'll recess this for a few minutes. We will get right to it. I'll recess that public hearing. We'll continue and ma'am you have the floor at the present time. If you're done speaking, the gentleman in back of you would like to speak. He can step up and state his name and where he's from and address the Town Board."

Mike Hennessy, Wildwood Hills Assoc., "I just have a few questions...."

Councilman Prusinowski, "Sure."

Mike Hennessy, ".... as to the results of any type of environmental studies that might have been done prior to issuing a permit to the builder of the house that is in question and causing our drainage problems. The reason I ask this question is before a development or a commercial property is built upon on a public Town road, a series of studies is done as to what the impact is on drainage, traffic, basic environmental concerns are done. Ok. If this were a town maintained road, I wonder what the consequences of the flooding (would be) have been on the builder and what restraints would have been placed upon him. Being that they are privately maintained roads, the fact that he has basically turned a whole section of Ravine Road into a swamp. Ok. If there is no action, it falls upon us to pick up the cost of this repair. What came up if anything, in any type of environmental study that was done on the consequences of building on this land? I know the piece of property prior to the building. The property basically provided natural drainage for our road system. Ok. We do not have a problem like this to any degree. Ok. They had to fill the property before building upon it. Now how does this come about? When you applied for a building permit, you have a form how it's going to effect your environment. Was any study done? Were there any engineering consultations done? We were not consulted in any way prior to providing a permit. And any engineer could have looked at this piece of property and ascertained there would be a problem--once it was developed and that something would have to been built into it to alleviate this problem."

Councilman Prusinowski, "Ok. The Environmental Quality Review Board did take this application and they recommending that this action be classified as a Type II. Type II under the criteria of Section 617 of the State Environmental Quality Review Act. Dick why don't you tell them what a Type II Act is."

370700

PERSONAL APPEARANCES Continued

Richard Ehlers, "I think the State.... What happened here is that the Environmental Quality Review Board, that's comprised of the Chairman of the Zoning Board, the Planning Board and the Conservation Advisory Council, review all building permits, Zoning Board of Appeals applications and Planning Board applications. The State Environmental Quality Review Act divides actions into three categories. Type I; that's like an airport, major subdivision. Type II; which is generally a single family residential construction. And those which are called unlisted actions, unique actions; construction of a nuclear power plant or something to that effect. This action was determined to be a Type II action by the Environmental Quality Review Board and they made their recommendation to the Planning Board, to the Zoning Board. Excuse me. The Zoning Board then adopted that recommendation and that appears in their decision which is in the written form that has been provided to the Town Board."

Councilman Pike, "Ok but let me make a few comments on this if I might. Just so you understand, I am an attorney and I do a lot of work on the State Environmental Quality Review Act. I think I can see a couple of mistakes that have been made here. To answer your question directly, the applicant would have had to file a form, an environmental assessment form in which I believe he has asked the question; will this cause any diversion of water or flooding in the area? I'll bet you he answered that question "no". And that the people who reviewed his application, believed it. So there's the first break down in communication. No environmental impact statement probably was made because no disclosure of a problem was made on that form. And that's a simple problem of people trusting what other people say. I wanted to deal with another thing where I think a mistake has been made here. And that is this; everybody seems to be concentrating on the decision made by the Zoning Board of Appeals. Well, the question of flooding was not before the Zoning Board of Appeals. It was not raised by the Building Inspector."

Unidentified Man, "It was raised by the members at the original variance hearing."

Councilman Pike, "I understand that but you see, the only thing that goes to the Zoning Board of Appeals are things that are not allowed or for which a variance is needed. And for some reason, the Building Inspector when he first saw this application, did not see a need for review of the storm water runoff. Now, to that extent, I think we're focusing on the wrong thing and you might have a point here which is this; we do have a law; section 6330. It's not part of our zoning law which we usually deal with in building construction. It's an entirely separate section called grading. It specifically says that storm water runoff or natural drainage shall not be diverted so as to overload existing drainage systems, create flooding, cause erosion or the need for additional drainage facility on other private or public real property. That has not been enforced. And this is not.... It never came before the Zoning Board of Appeals. The only reason it ever got to the Zoning Board of Appeals is because the people who attended the meeting brought it up. May I make a suggestion. One; I do see a

PERSONAL APPEARANCES ContinuedCouncilman Pike, Continued

couple of mistakes that have been made here. Alright. It would be my opinion that any developer who ignores that particular provision, would be subject to the penalties for offenses in section 635 and that that might be mentioned to him at the meeting tomorrow. Now the one other thing I have to say is that to some extent, perhaps our own Building Department should have caught this when it was first being reviewed. That they should have taken a harder look at the application. So that there may be an extent to which the Town itself is culpable. But may I suggest that you give the town some time to readdress both of those problems. One; that this happened systematically and two; this specific problem. And get back to you in writing in two weeks. That's our next meeting."

Unidentified Man, "Can we make it within one week. We've been waiting now for over a month."

Councilman Prusinowski, "Well first of all, we're going to be down there tomorrow morning at 10 o'clock. We're going to talk to the gentleman who built the house one on one. We're going to look at the situation. And if you would like to come down and demonstrate to us what you feel the problem is. Over the last six years John and I have been on the highway committee with various superintendent of highways. We have seen almost every aspect of flooding imaginable in this town. So we have a pretty good idea if somebody is trying to buffalo us or tell us something that's not true. The highway superintendent was a surveyor for 25 years with Young and Young. He's got an excellent understanding of building roads and construction. So Charlie's coming down because I don't think he would ultimately do this work but we want his expertise. So what we have to do tomorrow is find out whether or not the Zoning Board of Appeal's determination is being followed through. If not, what we're going to do about it and how fast we can correct the situation. Like a.s.a.p."

Mike Hennessy, "One final question if I may."

Councilman Prusinowski, "We understand this. We have to point out to you these are private roads. And generally we are not allowed to spend general town tax money to repair private roads in any way. We do have federal revenue sharing money which has been all allocated to other private roads throughout the town."

Mike Hennessy, "Our association has been in existence for fifty years and we have spent quite a few dollars fixing up our roads and we don't mind fixing up our roads. However, when people abuse it like this. The last question I have; are any of these actions precluded because of the issuance of the C.O.?"

Councilman Prusinowski, "I would have to defer that to the attorney. I don't want to."

Richard Ehlers, "No."

PERSONAL APPEARANCES Continued

Mike Hennessy, "No. So we can leave here tonight expecting to hear from you within a week. At the maximum, two weeks in reference to... We'll be there tomorrow. And we can expect this to be resolved shortly."

Councilman Prusinowski, "We have some type of an offer from the developer, fifty percent to do some type of work down there. The reason I don't want to comment on whether or not we'll accept his offer or not accept his offer is because we want to take a look at the situation."

TAPE ENDED

Councilman Prusinowski, "...problems that you need engineering solutions to. And I'm not saying this is a three hundred thousand dollar sump that we built up on Osborn Avenue. Is that we don't like to make off the cuff things like yes we are going to go down there and fix it tomorrow. And all of a sudden we put in fifteen catch basins at three thousand dollars each as Charlie will know. And next time it rains, it floods and you people come back and say; "Oh you stupid politicians". You spent thirty thousand dollars and didn't fix the problem. We want to do it the right way is what I'm trying to say."

Mike Hennessy, "I just have one quick question for you."

Councilman Prusinowski, "Sure. Go ahead sir."

Mike Hennessy, "You said that you normally do not go into privately maintained roads to institute..."

Councilman Prusinowski, "Exactly. With general town tax money."

Mike Hennessy, "... with general town tax money. But we as a community that privately maintains our roads, to my knowledge, were never consulted. We were never consulted. We were never consulted about possibly we could have hired a civil engineer to have done a study to have brought to the permit or the zoning department meeting to show that building a house here, there would have to be included in that sufficient drainage, sump dry well, something of the sort. Anybody with a basic engineering degree, prior to the building of that structure, would have determined there would be a problem after this building."

Councilman Prusinowski, "Ok. I know we have another public hearing coming up. I just want to explain something. Unfortunately in this particular process because it was a single lot that was prior to zoning, in fact it was since July 7, 1952 the lot was established. Zoning was adopted in 1959. All the major subdivisions today, you have that input because the Planning Board before it considers, we have an Environmental Quality Review Act. We have an engineer that consults the Planning Board. There are extensive public hearings. There is different processes that go into effect in a major brand new subdivision that would impact your area. This was clearly (as Mr. Pike pointed out) a Zoning Board of Appeals application on a single lot. And though

PERSONAL APPEARANCES ContinuedCouncilman Prusinowski, Continued

the Environmental Quality Review Board, there is a public hearing which was held. There was a publication notice and I believe there is a sign that is posted on the property prior to the public hearing. There were members from the neighborhood at the public hearing apparently. It's evident. Because as Mr. Pike pointed out, the application for the appeal is basically on side yard requirements because they didn't have enough yardage. It's a small lot but it ended up putting some drainage consideration into the determinations."

Mike Hennessy, "Yes but wouldn't the Town if it were on a town road, have provided engineering service to make that determination?"

Councilman Prusinowski, "No. That burden would have to... If it was required by the Planning Board or the Town Board, that service would be required by the builder or the...."

Mike Hennessy, "They would stamp it as you would with for an architectural design. It would had to have been stamped."

Councilman Prusinowski, "Well not in engineering so much does an impact on the town road as far as drainage. The Highway Superintendent does review all major subdivision applications that come before us."

Councilman Pike, "Also the building inspector has the power to require any information necessary with unique characteristics of land for topographical maps and engineering studies to solve any problems that he sees. You know. I'm going to admit it. You folks have got some valid points here and I think it's time we got a look at it. You should not have to hire your own engineer to do studies like this. It should happen naturally as part of the process."

Councilman Prusinowski, "I'm just saying who pays for the situation. Ok. I'll recognize you sir. As you're walking up, I'll have the Town Clerk read the notice of the 8 o'clock public hearing which we'll postpone or recess."

PUBLIC HEARING - 8:00 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, May 6, 1986 at 8:00 p.m. to hear all interested persons regarding: The Proposed Addition to the Town Code, Chapter 6, Bay & Creek Ordinance.

Councilman Prusinowski, "Ok. We will recess this public hearing. I will take you sir and then we're going to go back to the 7:45 public hearing."

8:00 PUBLIC HEARING RECESSED AT 8:06

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PERSONAL APPEARANCES Continued

Emil Rydell, Wading River, "I attended all the Zoning Board of Appeals meetings for this action. And at the close of the last meeting, the builder agreed to take care of all flooding problems."

Councilman Prusinowski, "Ok. Would you sign.... If we asked you to, would you sign (be available to sign) an affidavit stating that?"

Emil Rydell, "Yes. He, in fact.... The woman in charge of the Zoning Board of Appeals told him; would you be willing to take care of all flooding problems and he said yes."

Councilman Prusinowski, "That's Mrs. Tormey."

Emil Rydell, "Right. And I walked away and I said; boy he's in for some trouble. So that's my opinion. That's all I have to say."

Councilman Prusinowski, "Ok. Are you talking about the flooding on the property or the flooding on the road?"

Emil Rydell, "The flooding in general."

Councilman Prusinowski, "The flooding in general."

Emil Rydell, "Because as we said, the flooding will cost."

Councilman Prusinowski, "Well we certainly are going to ask these questions of the developer tomorrow."

Emil Rydell, "Well I might be able to see you tomorrow morning."

Councilman Prusinowski, "10 o'clock. You're all invited to come down. We're going to open now the 7:45 public hearing on the eminent domain procedure. This is a public hearing to acquire property in a parking district to expand public parking in downtown Riverhead. This project will be totally financed by the parking district which has boundaries in the downtown area. Is there anybody wishing to be heard concerning this? Stan Hagler."

7:45 PUBLIC HEARING REOPENED AT 8:06

Stanley Hagler, Richard York Shoes, "My name is Stanley Hagler. I have the Richard York Shoe Store on Main Street in Riverhead and I have been asked by the Riverhead Chamber of Commerce Executive Director to read this letter into the minutes. She was not able to attend. It is addressed to the Supervisor and members of the Town Council, Town of Riverhead, 200 Howell Avenue, Riverhead, New York, 11901."

PUBLIC HEARING Continued

The following is a letter from the Riverhead Chamber of Commerce as read into the record by Stanley Hagler.

"Dear Mr. Supervisor and Members of the Town Council:

The purpose of this letter is to make it a matter of record that the Riverhead Chamber of Commerce is one hundred percent in favor of the creation of the Riverhead (Parking) Public Parking District Lot on First Street. We heartedly endorse the process and look forward to the swift completion of the lot.

Very sincerely,

Audrey H. Austin
Executive Director

Councilman Prusinowski, "Thank you Stan. Is there anyone else wishing to address the Town Board concerning this public hearing?"

Unidentified Man, "Can we get the door closed in the back?"

Councilman Prusinowski, "Yes."

Philip Rimland, Riverhead Merchant, "Gentlemen, my name is Philip Rimland. I'm a merchant on Main Street in Riverhead since 1956 and we run Lentins and Rimlands. In reference to this accommodation, part of this property belongs to my partner and myself and I want it on record that I'm in favor of having the Town do what they are going to do. And if I could help them or assist them in any way, I'll be more than glad to do it."

Councilman Prusinowski, "Ok Phil. Thank you very much and we appreciate that support. Is there anyone else wishing to address the public hearing concerning the eminent domain procedure of public parking district number one? That being the case, I declare the hearing closed."

7:45 PUBLIC HEARING CLOSED AT 8:08

Councilman Prusinowski, "We will now proceed to the amendment to the Town Code Chapter 6, "Bay and Creek Ordinance". And I will have the Town Attorney explain the ordinance and we'll open it up for comment."

Richard Ehlers, "The proposal before the Board this evening is to adopt an amendment to the Riverhead Town Code which would embody the Town of Riverhead's jurisdiction over certain underwater lands in what's known as Flander's Bay and the Great Peconic Bay as that area is in the vicinity of the border between the towns of Southold and Riverhead about half way across those bays as it travels west into the mouth of the Peconic River. To understand how we come to the point of ascerting jurisdiction over this land; is partially a lesson in history. The Town of Riverhead is an off

PUBLIC HEARING Continued

Richard Ehlers, Continued

shoot of the Town of Southold. It was formed in 1792 by a legislative act of the then Assembly of the State of New York. The Town of Southold is a portion or is described by a grant from Edmond Andross, then Governor General under James Duke of York of all these territories in America. And he gave us or he gave Southold at that time a very interesting grant of land. And I have at length, the grant of land which is available for anyone to look at later. In pertinent part, it basically starts at a pepperidge tree in Wading River. Travels around including Plum Island. Comes back around what we know as Southold, Southold Bay and travels into Riverhead until it gets to a very particularly wooded section which is as follows: with the arm of the sea or river which runneth up between Southampton land and the aforesaid tract of land. That's our now Riverhead and Southold land. Unto a certain creek which fresh water runneth into called in English, Red Creek by Indians, "Toinians", together with said creek and meadows belonging thereunto. Not contradicting the agreement made between their town and the Town of Southampton. Their town being the town given the grant. In this case, that's the Town of Southold. After the trial at the "Ascize", (the Ascize is the name of a court which then had jurisdiction) so running on a straight line from the ye head of ye afore named fresh water to the head of ye small creek that runneth into the creek called "Pocaquach" including all the necks of lands and islands. Now what basically has happened or what we believe has basically happened over the years, is that the mouth of the Peconic River which we now consider to be near downtown Riverhead, was at the time of this grant, actually between Red Cedar Creek on Southampton side and Jamesport. And that in the early maps which we've assembled and also have available for anyone's inspection, will become a part of the clerk's record. The constriction of the land at that area made it logical for the early settlers when describing the lands of the Southold portion, to include the idea of the Bay within that description since it was on the inward side of the mouth of the river. That being the western side of the mouth of the river. There's been dispute over the ownership of the lands underwater. Particularly in the bays. And this dispute first surfaced between the Towns of Southampton and the then Town of Southold over who had the right to mow the salt hay for the feeding of cattle in the winter that grew in the marsh lands. And that's the case that went to the court of the Ascize. Governor Andross being a good politician, recognized there was no point in upsetting a court decision that he could lay credit to. So at that time it appears from the records, that an island known as Fifteen Mile Island which we also have a description of though we can not find at this time, since it appears to be submerged now, formed the basis for a settlement again along the general lines of a fair division between the Town of Southampton and the then Town of Southold. The other portion of the Town of Riverhead by the way, the portion beneath this line from Red Cedar Creek up to Wading River which we would know as the matter line. It's where the L.I.L.C.O. lines run today and is still evident on a map, is the grant of St. Georgia's grant of the manor which flushes out the bottom half. We have for further evidence some resitations that refer to the word Occ-a-Bock. O-c-c-a-b-o-c-k, is an Indian name and signifies the land at the

PUBLIC HEARING ContinuedRichard Ehlers, Continued

head of a Bay. Occ-a-Bock is, as we know, in Aquebogue and that further would amplify our contention that the head of the Bay was at that time further to the east and thus the description makes sense. There was a famous case that dealt the Town of Southold a severe blow. And that was the Town of Southold against Frances B. Parks. Southold sought to restrict Mr. Park's ability to rent certain lands in the Southold waters in the vicinity of Shelter Island. The court was asked to decide what the issue of an arm of the sea meant. When I read you the description earlier, I said with an arm of the sea. Southold's position was that with meant along with. The other side of the case took the position that with meant that's the boundary of it. The court agreed with or did not agree with the Town of Southold. They said with doesn't mean you get it. It just means it's a boundary. We do not claim in this ordinance, that our boundary is determined with the arm of the sea. We'd rather look to an area of the town of the then Town of Southold which they didn't pay much attention to which was the Riverhead section and to point to this crossing of our jurisdiction of line into the Town of Southampton at Red Cedar Creek. And then the later division of that land in the court of Ascize. In 1933 the State of New York recognized that all the previous acts of the then colonial government in the State of New York are ratified and we believe that they are not repugnant. That this grant is not repugnant to the laws of the State of New York as they stand today. So with that in mind, we prepared by utilizing examples from surrounding towns an ordinance to attempt to give Riverhead the ability to regulate actively the shellfishing and other water related activities in our waters. This may be important for a variety of reasons. Quickly coming to mind are the facts that the other communities do it and so it's sort of an idea of self preservation that we might want to too. I understand that this has been circulated among the various baymen associations and Councilman Boschetti took care of that circulation, has had discussions. From his standpoint I understand that there is no objection except that perhaps some technical objections. There is also some question of our jurisdiction as regarding the County of Suffolk. There is a possibility that the County, under a statute passed in the 1800's through a mapping procedure, could perhaps acquire the jurisdiction which we choose not to ascertain. So perhaps timeliness is necessary. That's all."

Councilman Prusinowski, "I'd like to point out that this has been a project that has been followed through by Councilman Boschetti. He has a committee and he's worked closely with the baymen. So he might want to comment throughout this hearing. I would now like to recognize anybody in the audience or anybody who would like to comment on this proposal. Yes sir. No George. You're second. Alan. Mr. Benjamin."

Alan Benjamin, Riverhead, "I'm Alan Benjamin. President of Riverhead Town Baymen's Association and we feel that the ordinance is very well written. The only thing we would like to have deleted out of the ordinance is the word taxpayer. We want to go with strictly a resident. A taxpayer would stop people from buying property in the town so that they can strictly go clamming or fishing commercially."

PUBLIC HEARING Continued

Councilman Prusinowski, "Oh. I get you. So how would we define resident? Is that defined in there?"

Alan Benjamin, "Yes."

Councilman Prusinowski, "Ok. Good."

Alan Benjamin, "But we feel that the ordinance as written other than that exception, is excellent."

Councilman Prusinowski, "Fine. Thank you sir. George, with your nice orange shirt and your good sense of humor and your extensive knowledge of the water and the land. It's on George."

George Schmelzer, Calverton, "I also heard that..."

Councilman Prusinowski, "George this is for the record. State your name. I know where you live but you've got to tell the recorder so Irene can put it on record."

George Schmelzer, "Wait a minute. Let me look on my license to see what my name is. My name is George Schmelzer from Calverton. Do you have any maps from the federal government of 1938. I got some one time and I gave them to Jerome McCauley when he worked for the County and the County has them there somewhere. I didn't get them back yet. They certified as the outline of the waters, were in 1838. Would you have any need for such maps?"

Richard Ehlers, "Love to have them."

George Schmelzer, "I'll look for them then. I don't know who took Jerome McCauley's job. I'll have to find out. And you speak of buying with. I know if you read old deeds, it describes say; if the next land was Joe Brown, we'd saying buying with Joe Brown. That was common wordage way back for describing adjoining owner being bounded by and buying with. I understand your certain interpretation of the court in doing that. I also heard that time that was in a supreme court and was never appealed to the health division or the court of appeals. So it's not as strong as if it went to the top."

Councilman Prusinowski, "George do you like the idea?"

George Schmelzer, "As what I heard when I came in. I don't know what you said before. Somebody told me it was trying to steal the land under water. I was wondering."

Councilman Prusinowski, "No that's not exactly what we're trying to do. That's not exactly what we're trying to do."

George Schmelzer, "You're getting as bad as the County then almost."

Councilman Prusinowski, "No. No. Please."

PUBLIC HEARING Continued

George Schmelzer, "This has nothing to do with the land under water within the manor of St. George?"

Councilman Prusinowski, "No."

George Schmelzer, "Good enough."

Councilman Prusinowski, "Good. So you like it. Let's quit while we're ahead."

George Schmelzer, "Ok. The thing is very well. I also heard that the name Ehlers is an old Indian name. It was based on something they used to give the indians."

Councilman Prusinowski, "This public hearing he is Lord Ehlers. Ok. Thank you George."

George Schmelzer, "Thanks very much."

Councilman Prusinowski, "Ok. Thank you. Is there anybody else wishing... Dick Benedict of Fanning Boulevard. Hey Dick, you haven't been up in a while."

Dick Benedict, Fanning Boulevard, "A little trout fishing and a little turkey hunting."

Councilman Prusinowski, "Good. Good."

Dick Benedict, "What, if anything, (not anything) how much is it going to cost the so called residents and taxpayers and has anybody set a ceiling on how much we're going to spend on this project if we have to go through all these legalities? And if the other towns decide they want that bay bottom, are we going to just press on?"

Councilman Prusinowski, "I will defer the question to the committee and to the Town Attorney."

Richard Ehlers, "First of all it's important to note that we're not trying to take anything from any other town. We're merely trying to discuss what our requirements are within what is generally accepted to be Town of Riverhead waters. If you look at a Suffolk County tax map which is not to be considered an indication of ownership but is still an indication of the general thoughts of the real property tax service of the County of Suffolk, they show a dividing line down the middle of the bay indicating that the Town of Riverhead jurisdiction does include that property. So it's hoped that with the result of what we feel is a fairly good analysis, no one will think that we're attempting to take away lands from the jurisdiction over under water lands from either the Town of Southampton or the Town of Southold. That is not the intent. The intent is to properly regulate what we may have neglected to regulate for a period of time. As to set fees, the ordinance is a generic ordinance. The Board may set fees as from time to time they find appropriate."

PUBLIC HEARING Continued

Dick Benedict, "Well I mean legal fees to obtain what we're after. Plus if we do get it, there would be added bay constables and things like that to patrol what you're going to have control over. I assume."

Councilman Prusinowski, "Right. Dick so far, to my knowledge and I could be corrected if I'm wrong, the Town of Riverhead is outside of the Town Attorney's services, has not hired any special attorneys to work on this project. And if it has, I think it's a nominal amount. I don't recall. As far as bay constable, yes. That's definitely, some Town Board down the line. I do know that Southampton Town, Shelter Island and Easthampton and Southold all have bay constables and they do enforce their ordinance. Of course they have trustees. And they raise the taxes to pay for those. Yes that could be done here. Definitely."

Dick Benedict, "I also know as far as portions of the Bay being opened, I haven't had any clamming in three years. And the way it looks here this year, it's not going to be any better."

Councilman Prusinowski, "Well, the water quality in the Bay has approved over the last ten years. And I expect with tighter pollution controls and our new sewage treatment plants, I think ultimately...."

Dick Benedict, "But if the D.E.C. doesn't have the people to check the water, it don't matter how good that water is."

Councilman Prusinowski, "That's true."

Dick Benedict, "Apparently that seems to be a problem."

Councilman Prusinowski, "I don't know but it could be a problem."

COUNCILMAN PRUSINOWSKI AND DICK BENEDICT SPOKE SIMULTANEOUSLY AND THE REMARKS WERE UNDECIPHERABLE.

Councilman Boschetti, "For the record, one of the reasons that this particular ordinance would be helpful is to do just what you're suggesting it should do. And that is regulate the recreational and commercial uses of the shellfish taking from that area which we have trouble with doing now. Secondly for the record: there was no special attorney used for this. This was done completely in house through the mariculture committee and with the assistance of the Town Attorney. Two other points that I would like to put on the record also is that the intent of this ordinance or town code change rather, is not to usurp any private property interests that currently exist in the bay as well as not to usurp any other town jurisdictional rights. As the Town Attorney pointed out, all we're trying to do here is to assert our right to enforce what actually should have been all along part of Riverhead's jurisdictional rights over the bay bottoms.

Councilman Boschetti, Continued

And in the Town Attorney's excellent presentation, he pointed out that we are in a bit of a time squeeze here. Inasmuch as a law that was passed by the state legislature in the last century, has been modified over the years. But nonetheless it still exists. And that law would then give the County certain rights about how the bay bottom would be used and it's not clear how those rights might interfere with our claim if we allowed that to go ahead unimpeded before we asserted our right to regulate the bay bottoms at this time."

Dick Benedict, "Assuming that we got bay bottom rights, would any of it be leased out or would it stay for the residents of Riverhead Town?"

Councilman Boschetti, "It's not our intention now to lease out any bay bottoms. Of course I can't speak for future Town Boards and what they decide in their wisdom at the time. It would be the correct course to take. But this Town Board has not indicated to me nor is it the committee's intent to lease out any bay bottoms."

Dick Benedict, "Thank you."

Councilman Boschetti, "You're welcome."

Councilman Prusinowski, "Dick, is there.... Thank you Dick. Is there anyone wishing to... Steve Haizlip."

Steve Haizlip, Calverton, "It has been Dick and George that has raised the issues about the County wanting to come in and be the power here. Now the people of the Southold Town, Riverhead Town and maybe Greenport. That's in Southold right. So they say we're County residents and we want to come up and boat and patrol this whole thing all the way to the end to the bridge and back and the County can say we control it and we'll have to have the say on it. Now, you mentioned about it's going to be regulated by the town. Does this mean that the issuing of licenses to go there or permit (which ever it may be) will be to the residents only of this town and then aides will have to employ a bay constable and he's got to go out there to check to see if I am a town resident if I'm out there? That's my question."

Councilman Prusinowski, "That's correct. Steve, just to point out, the State of New York has the ultimate authority in this state for the inland waterways. Not so much the County. And the other towns do have in theory, I'm not supposed to go to Southampton Town and go clamming without a permit."

Steve Haizlip, "So in other words, the state....."

Councilman Prusinowski, "I'm not admitting anything. I'm just saying that I'm not supposed to go Southampton Town and go clamming. When I go to Block Island I get a permit from the Town of New Shoreham. I should know it. No relation to the Shoreham up here. The New Shoreham, you get a license out there and they

Councilman Prusinowski, Continued

restrict the amount of clams you can take. And believe me, they enforce it out there in Rhode Island. And as to protect the over-all crop, they do that in the Great South Bay. Otherwise they will have over production and the clamming crop will dwindle. So it's not something that's uncommon."

Steve Haizlip, "Alright. So the State is...."

Councilman Prusinowski, "And we're not trying to.... The intention of the committee and the legislation is not to over burden people with regulations but is rather to protect."

Steve Haizlip, "No I understand exactly what you're going after. So the State is the highest authority but they leave the regulation of the waters to the town that it's located in apparently. At least I hope so."

Councilman Prusinowski, "Well. I'm not going to.... Rob. You wanted to say something on the record."

Councilman Pike, "I have given Councilman Boschetti a four page memorandum on a whole list of various, many of which are very small things that I won't bore you with. I did want to mention a couple of things that ought to be changed or completely eliminated on the legislative record. First; the definition of resident as it's applied here, would require a residency of the town for a period twelve months. That would preclude our young people who are college students who go away for the college season and come back looking to do something in the summer from partaking in this industry in their hometown and I think that ought to be changed to allow college students to do that. Secondly; I've always marvelled at the idea that we have to make the taking, harvesting of shellfish difficult. In this ordinance we have a restriction on the taking of shellfish with the use of underwater submergence capabilities beyond normal human capacity. In other words, you can't scuba dive and get clams. I'm a little bit concerned about the purpose of that. If the purpose of that is to limit the amount of clams that are taken, let's just do that. Let's limit the amount of clams that you can take rather than making it difficult to take the clams. I mean I'm in favor of efficiency. Not people wasting time and energy and I think that ought to be rethought. I understand there are a lot of other ordinances like that but it doesn't make a lot of sense to me. Now I also understand that this ordinance was assembled from a fair number of other ordinances. There's one line in here that I want to read to you because it fascinates me. It's about the taking of starfish. A big problem in Riverhead. If any fish or crustacea are unintentionally taken contrary to any provision hereof, they shall be returned to the water at once without unnecessary injury. Now this is something we're putting into the law. Now I've been on the back of a fair number of boats and this ordinance would lead you to believe....."

TAPE ENDED

PUBLIC HEARING Continued

Councilman Pike, Continued

MICROPHONE CONNECTION TO RECORDER MALFUNCTIONED.
FOLLOWING IS NOT VERBATIM EXCEPT WHERE WITHIN QUOTATION
MARKS.

Councilman Pike Continued listing his suggestions for
changes to the proposed Bay and Creek Ordinance.

Councilman Pike, "...that if you catch something you don't
want, you will keep it anyway. The construction of the first
sentence would lead one to believe that, if one did not intend to
take fish that one had to return them, if one intended to take fish
that one could keep them but if one did not intend to take fish and
then changed one's mind, one would still have to throw them back.
I'm really not sure why this provision is here at all. Perhaps it
should be a simple suggestion that unwanted fish be returned to the
water. They usually are, and therefore this seems unnecessary. The
provision that follows requiring that starfish, drills, drumfish and
moonsails either must be taken home or killed and returned to the
waters of the Town of Riverhead obviously has some justification that
is beyond me."

THE FOLLOWING IS AN EXERPT FROM COUNCILMAN PIKE'S MEMO TO
COUNCILMAN BOSCHETTI.

Councilman Pike, "Under the paragraph heading "Derelicts",
the meaning of the word "abandoned" should be more fully explained.
If the idea is set a standard 90 day period of lack of attendance,
I think a fair number of boat owners would be in serious trouble,
particularly in the off season."

After Councilman Pike completed his narrative, Councilman
Boschetti observed "for the record" that he received Coun=
cilman Pike's memo regarding the proposed ordinance just
before this meeting.

Bob Skinner, Herod Point Road, W.R., Observed that refer-
ence was made to a map on file with the Town Clerk of Peconic Bay
and the area in question. He said he agreed with Mr. Pike regard-
ing regulating removal methods instead of limiting quanity removed.

Councilman Boschetti, Replied that sections of ordinances
of other towns were compiled as regarded useful to Riverhead and
that the purpose of this hearing was for public input.

Bob Skinner, Answered that he liked the 3 year application
provision instead of the annual renewal that Southold requires.
He asked what to do about people who drag nets for killies and
snappers? He observed that "any net, any seine" could apply. He
remarked that he has escalated for only two years, but that he
knew a state permit would still be required. Mr. Skinner continued
with the observation that Hempstead had tried to make a distinction
between blue and green mussels, blue being the edible kind and green
for bait, and whether they could be taken from uncertified waters,
as the green mussels are not for consumption.

Henry Pfeiffer, Wading River, Asked if we were precluding anyone's rights. He observed that in Maryland, property rights on public and private property that had not been used for seven years was lost.

Richard Ehlers, Then referred to a D.E.C. case, 1982 that dealt with fresh water wetlands.

Alan Benjamin, Said that by law, starfish must not be returned once caught. He stated statistics regarding the effect starfish have on shellfish. He also stated that the law prohibits the taking of shellfish from uncertified waters.

Councilman Prusinowski, Agreed that starfish must not be returned to the water once caught.

Bob Skinner, Questioned the section of the proposed code regarding taxpayers versus residents. He stated that he thought taxpayers should be permitted to shellfish for their own purposes.

Councilman Prusinowski, Observed that Block Island residents have no fee or a minimum fee. Non-residents paid much more.

TAPE BEGAN TO RECORD

Councilman Prusinowski, "You're allowed to clam the waters if you can and have different privileges. Non-residents pay a steeper fee and they have a lot of restriction on it and they enforce that. I don't know. I'm not that familiar with Southampton Town. Is there anyone else who wishes to address this ordinance? That being the case, I'd like to thank the committee, the Town Attorney who have worked four or five years on this project...."

REMAINDER OF REMARKS WERE INAUDIBLE

8:00 PUBLIC HEARING CLOSED AT 8:45

MEETING RECESSED AT 8:45

MEETING RECONVENED AT 9:02

Councilman Prusinowski, "Ok. Before we move onto the resolutions, I'd like to re-open the meeting to anybody wishing to be heard on any subject whatsoever. And I know Bill Nohejl.... Sal you're up at the microphone so I'll.... Yes. Come right up."

Sal Messina, Riverhead, "I've been coming up.... Is this on?"

Councilman Prusinowski, "Yes."

Sal Messina, "I'm a resident and taxpayer of Riverhead. I have been coming to these meetings periodically and it's been a long time since I've been able to get a drink of water out in the hall. When are we going to get the water fountain fixed. We can't afford to fix this water fountain? I can give you a little donation. Maybe we can pass the hat around here."

PERSONAL APPEARANCES Continued

Councilman Boschetti, "I understand the parts have been ordered. I talked to Jimmy about it last week."

Sal Messina, "Yes but that's two months ago."

Councilman Pike, "You see a sign out here."

Sal Messina, "Two months. Two months."

Councilman Pike, "I've been here for four months."

Sal Messina, "If anybody came to my store after two months and said where's my blinds and I said well we ordered the parts, I don't think they would be too happy."

Councilman Prusinowski, "Well we'll check with the...."

Sal Messina, "And my mouth is really dry especially listening to all this stuff here. Not that it's a very light meeting tonight."

Councilman Prusinowski, "Well Sal we do that on purpose so that people can't have.... You know. They don't want to speak."

Sal Messina, "Oh. Is that why."

Councilman Prusinowski, "We cut down the verbage but we always love to hear from you and I'm dying to hear what Bill Nohejl has to say because he specifically wanted me to come up here."

Bill Nohejl, "I was going to say the same thing."

Councilman Pike, "You will notice that we have water."

Councilman Prusinowski, "Ok. Fran wants to say something to us. Fran, come on up. Come on up. Come on. You're the winner of the next..."

Fran Vitollo, Wading River, "You know I've listened to these people from Wildwood Hills. They do have a problem, sure. But I was at the meeting that night that these people were all present and there might be a problem there which we have in our community which you people know well about it. There might have been a problem with the water drainage. And maybe the neighbors had made a trench for the water to go into this property and this property is sitting there for thirty-five years or more, whatever. Does it make it right then for the builder to go ahead and raise the property or grade the property so that the water does not run into his property and leave it in the middle of a road? Does that make him right?"

Councilman Prusinowski, "You know Fran, I'll tell you what. I would rather not answer that question tonight until we talk to everybody tomorrow."

PERSONAL APPEARANCES Continued

Fran Vitollo, "Well I'm interested because this individual is building in my community and I have come to every Planning Board meeting or Zoning Board meeting and raised a question. But the way you people are saying, there are clauses there that could say; hey. It's not his fault. He's going to raise this property so that the water doesn't go on his property."

Councilman Prusinowski, "Well in speaking with the Superintendent of Highways in the hall during the recess, he's brought to light some pertinent information concerning this situation and until we speak to the guy tomorrow, I don't think... I know what you're saying and I don't think we're going to take that direction."

Frank Vitollo, "I don't know because I know I had a problem."

Councilman Prusinowski, "Yes I know exactly what you're saying. I don't think we're going to take that direction at all."

Fran Vitollo, "As far as Mr. Bloss is concerned, I don't think he knows what he's talking about anyway for the simple reason that I was there many times and I spoke to him on the telephone and I told him that he had said that he was going to do some drainage work on Hulse Avenue. Because we already spent over nine thousand dollars to put catch basins in my community and the water coming off North Wading River Road on to Hulse Avenue, those two catch basins which we paid out of our own pockets is not doing us any good. And he had said; yes the water is coming off North Wading River Road. Yes, he will do something. Now he turns around and tells me (this is just before his election) that oh no. We're broke. We have no money. I don't think that's right either. As long as we spent all this kind of money in my community, I think that the town should do something for us too. And this is how I feel about the builders. If the building department is allowing these builders to get their C.O. without correcting the problems, I think there's something wrong somewhere."

Councilman Prusinowski, "If that is the case, you're absolutely right and that's what we're going to find out tomorrow. We don't want the builders to get away with anything. Unfortunately as you know, in years passed, fortunately today when they build a new subdivision, we have a lot more restrictions and we have bonds which years and years ago they didn't have. And some of these pre-existing situations are a mess. I don't think we're going to take that position tomorrow which you just stated but we have to talk to the guy. We want to personally inspect the site."

Fran Vitollo, "Yes, but is there anything there that says the builder can raise his property?"

Councilman Prusinowski, "I don't know that. I'm not saying there isn't unless somebody wants to comment."

Councilman Pike, "I can think of three different ways that say you can't affect your property, to do something to drade your property so that it drives water onto other people's property. That has been the tradiditional decision of course, the common law of the State of New York. Our specific ordinance specifically

PERSONAL APPEARANCES ContinuedCouncilman Pike, Continued

says you can't cause flooding on other people's property by regrading property and you can read the Zoning Board of Appeals decision to say that they have to take and handle all of the water. Not only the water that is generated from say rain that's falling on the site but rain falling on the other site that has historically travelled onto this. I think the answer to your question is he has to handle the water that was coming onto the property without having it affect the other people's property."

Fran Vitollo, "And that meaning the road which is a private road which the town will not do anything about."

Councilman Pike, "Or public private in the ordinance."

Fran Vitollo, "Alright."

Councilman Prusinowski, "Ok. Bill Nohejl. Did you have something? And I know Steve has spoken but we'll get back to you."

Bill Nohejl, "One of the main things is what Sal said and it's been over two months and I feel it's a shame. No matter the parts are ordered or not, that should have been done. Another thing. On some of the resolutions here, scoping. Scoping; does that mean pros and cons of such a resolution."

Councilman Prusinowski, "It's a process to collect information."

Bill Nohejl, "A process of collection."

Councilman Prusinowski, "Right."

Councilman Pike, "A scoping hearing in an environmental impact process, is a hearing in which you try to lay out the scope, the range of different issues that might arise in an application so that some applications which are small, will have just a number of issues that would have to be addressed in an environmental impact statement. And the scope of that statement would be quite small. You would have other projects like a nuclear power plant that would be enormous in scope and so that you would have to scope out all of the issues that would arise there. It's simply a way of letting the person who has to prepare the environmental impact statement know what he has to write about or to assist him in that process."

Bill Nohejl, "Gather information."

Councilman Pike, "The subject matter, the issues, the things that might be controversial, things that might have an impact on the environment."

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PERSONAL APPEARANCES Continued

Councilman Prusinowski, "Raising questions."

Bill Nohejl, "Vic I think you ought to be in charge of getting that thing fixed being that you drink so much water up there."

Councilman Prusinowski, "Bill I'm drinking this water because...."

Bill Nohejl, "You make everyone thirsty."

Councilman Prusinowski, "You can have some of my water. It reminds me of Ben Hur where he poured the water in front of Jesus Christ."

Bill Nohejl, "How about by the next Board meeting?"

Councilman Prusinowski, "You...."

Bill Nohejl, "You put me on the spot before."

Councilman Prusinowski, "What did I say. I remember."

Bill Nohejl, "You remember."

Councilman Prusinowski, "Hey I owe you a couple. Ok. Is there anyone else wishing to address? Steve Haizlip with some timely information I'm sure."

Steve Haizlip, "Under correspondence, this department of Internal Revenue against Lizza. It sort of sounds like that since it's been made public, it's been made public at a town meeting, that Lizza is doing some work for the town. And now the Internal Revenue says; that boy owes me some money and I want to tax your lighting for it. I want to tax it. Can I get an explanation on that?"

Richard Ehlers, "The fellow that served that on the town was an agent of the Internal Revenue Service. And he indicated to me that he had served a similar notice on all the municipalities in Suffolk, Nassau and the City of New York because we may have a contract. We do not have any contracts outstanding. And since we don't have any contracts outstanding and we don't owe them any money, we needn't do anything further with the notice."

Bill Nohejl, "Oh. Ok."

Councilman Prusinowski, "When the I.R.S. wants to get you, they go out everywhere."

Bill Nohejl, "Well Ok. I didn't understand what was going on. Now I do."

Councilman Prusinowski, "I understand. It looks like he has a little tax problem. That's for sure."

PERSONAL APPEARANCES Continued

Bill Nohejl, "Yes he's got a tax problem. After you read resolution 247, may I be permitted to come back up later?"

Councilman Prusinowski, "Absolutely. Anyone else wish to address the Town Board before we go and read the resolutions? Ok. Let's proceed with resolutions."

RESOLUTIONS

#233 APPOINTS 90-DAY TEMPORARY LABORER TO HIGHWAY DEPARTMENT.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, in order to have desired paint striping of roads completed within the Town, it is necessary to hire temporary individuals to perform said work.

NOW, THEREFORE, BE IT

RESOLVED, that David Bogash be hired as a 90-day temporary laborer at the hourly rate of compensation of \$5.00 commencing May 19, 1986.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#234 AUTHORIZES ATTENDANCE OF HIGHWAY SUPERINTENDENT AT SUFFOLK COUNTY HIGHWAY SUPERINTENDENTS' ASSOCIATION CONFERENCE.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, the Suffolk County Highway Superintendents' Association Annual Conference shall be held Sunday June 15 through Wednesday June 18th, 1986 at Shelter Island, New York, and

WHEREAS, Highway Superintendent Bloss has expressed a desire to attend said convention.

NOW, THEREFORE, BE IT

RESOLVED, that Highway Superintendent Charles Bloss be and is hereby authorized to attend the Suffolk County Highway Superintendents Association Annual Conference, June 15th through June 18th, 1986 at Shelter Island, New York, and

FURTHER BE IT RESOLVED, that all necessary fees and expenses be advanced and charged to the appropriate Highway Department Account. Said expenses shall not exceed \$350.00 and shall be fully receipted.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#235 AUTHORIZES CONSERVATION ADVISORY COUNCIL CHAIRMAN AND TOWN BOARD MEMBERS TO ATTEND CONFERENCE AT STONY BROOK.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLUTIONS Continued

BE IT RESOLVED, that George Bartunek, Chairman of the Conservation Advisory Council, and Councilman Lou Boschetti and Rob Pike be and are hereby authorized to attend the Pine Barrens Conference at S.U.N.Y. at Stony Brook on May 10, 1986, and that George Bartunek be reimbursed for all expenses incurred pursuant thereto from the Conservation Advisory Council and that Councilmen Lou Boschetti and Rob Pike be reimbursed for all expenses incurred pursuant thereto from the applicable budget; and be it further

RESOLVED, that George Bartunek, Lou Boschetti and Rob Pike are hereby authorized to use a Town vehicle for transportation to and from said conference.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#236 AWARDS BID FOR ONE USED 1980 OR NEWER FORD DUMP TRUCK FOR HIGHWAY DEPARTMENT.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, the Town Clerk was authorized to advertise for bids for One Used 1980 or Newer Ford Dump Truck, for the use of the Highway Department, and

WHEREAS, on the 28th day of April 1986, all bids received were opened and read aloud, and

WHEREAS, three (3) bids were received, and

WHEREAS, the Highway Superintendent has recommended the purchase of the 1980 Ford F-700, and

WHEREAS, the 1980 Ford F-700 is the lowest bid received meeting the specifications,

NOW, THEREFORE, BE IT

RESOLVED, that the bid for One (1) Used 1980 or Newer Ford Dump truck, be and is hereby awarded to Sam Allen's Modern Machinery, Inc. Route 25, Box P, Coram, NY in the amount of \$8,800.00.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#237 AUTHORIZES POLISH TOWN STREET FAIR AND FESTIVAL.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, the members of the Polish Town Civic Association wish to hold an annual "Street Fair & Festival" in the area of Pulaski Street, and

WHEREAS, this Town Board encourages civic participation of the residents of the Township, and

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RESOLUTIONS Continued

WHEREAS, the Police Department and Fire Department will be advised by letter of the plans and arrangements of the "Street Fair and Festival", and

WHEREAS, obstructions will not be permitted in the street for the passage of emergency vehicles, if necessary,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 6403 of the Town Law, this Town Board grants permission to the Polish Town Civic Association to conduct the "Polish Town Street Fair and Festival" and that Pulaski Street be closed to vehicular traffic from Marcy Avenue to Hallet Street; and the length of Osborn Avenue from the High School parking lot south to Lincoln Street; and Lincoln Street from Griffing Avenue to Marcy Avenue; during the hours of 10:00 a.m. to 6: p.m. on Saturday, August 16, 1986 and the hours of 12:00 to 6:00 p.m. on Sunday, August 17, 1986; for the purpose of a community "Street Fair and Festival", and on condition that a certificate of insurance in the amount of (one million) \$1,000,000 be filed with the Town Clerk, and be it

FURTHER RESOLVED, that permission is hereby granted to hold a "Polka Dance Festival" on Friday, August 15, 1986 from 8:00 p.m. to 1:00 a,m, in addition to the aforementioned dates at the corner of Lincoln Street and Osborn Avenue, on condition that a certificate of insurance in the amount of \$1,000,000 (one million) dollars be filed with the Town Clerk.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#238 ACCEPTS RESIGNATION OF HOME AIDE.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, Tina Vitale has submitted her letter of resignation from her position of Home Aide with the Home Aide Program of the Town of Riverhead.

NOW, THEREFORE, BE IT

RESOLVED, that the resignation of Tina Vitale from her position of Home Aide be and is hereby accepted effective May 30, 1986, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Eileen Drower and the Accounting Office.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#239 AUTHORIZES SUPERVISOR TO ENTER INTO AGREEMENT WITH CONSULTANT RE: SOLID WASTE MANAGEMENT AND RESOURCE RECOVERY.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLUTIONS Continued

WHEREAS, the Long Island Land Burial Law mandates that the Town of Riverhead must stop the landfilling of solid waste by 1990, and

WHEREAS, the preferred method of solid waste management available to the Town is incineration with resource recovery, and

WHEREAS, the Town must proceed with the construction of a resource recovery plant, and

WHEREAS, the services of a consulting engineer with experience in incineration planning and construction is required.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to enter into an agreement with Robert La Bua, Principal of Construction Techniques, for consulting services with regard to solid waste management and resource recovery, and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Robert La Bua, Construction Techniques, 12 Forsythe Drive, East Northport, NY 11731.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#240 AUTHORIZES LEGAL ACTION AGAINST BIBBY FOUNDRY.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, a Resolution duly adopted by the Riverhead Town Board at a regularly scheduled meeting held May 18th, 1982, the Board authorized legal action to be initiated against Bibby Foundry;

WHEREAS, a Judgment was duly obtained against Bibby Foundry in the amount of \$48,571.70. Said Judgment granted on March 29th, 1985 and filed with the Clerk of the County of Suffolk on July 22nd, 1985;

WHEREAS, a Notice of Appeal dated September 5th, 1985 was taken by defendants from said Judgment to the Appellate Division of the Second Department;

NOW, THEREFORE, BE IT

RESOLVED, that this Board does hereby approve settlement of the above-action in the amount of \$43,714.53 to be paid by the defendant, Bibby Foundry, in certified funds;

FURTHER RESOLVED, that this Board does hereby authorize the Town Supervisor to execute a release upon receipt of these funds.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

Councilman Prusinowski, "Seeing Allen sitting back there, I want to publicly say that it was the legal ability of Mr. Smith. He wrote these documents and this agreement and we were able to recover almost 95 percent of this money. I remember that closing very well. Even when you put something under the table, we hoped

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RESOLUTIONS Continued

Councilman Prusinowski, Continued

it was good. No. We had a document at the last minute that they couldn't produce and Allen had something in his hip pocket. No. No. We were giving them money."

Councilman Pike, "You're really digging a hole for yourself."

Councilman Prusinowski, "No I'm not."

Unidentified Speaker, "Allen remembers."

Councilman Prusinowski, "Excuse me. Pertaining to a grant from Community Development Agency to create jobs. It was that two thousand. Yes that was Wellington Stoves. And as you know, they went out of business. And because we secured the money very properly so we were able to recover 95 percent of it."

Irene Pendzick, "Shall I go on sir?"

Councilman Prusinowski, "Yes."

#241 APPROVES SPECIAL PERMIT APPLICATION OF JOHN & ELAINE VILLANO.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, by application dated February 1, 1986, John and Elaine Villano did apply to this Town Board for a special permit to utilize premises located at Pulaski Street, Riverhead, more specifically described as Tax Map No. 0600-119-1-14, for the warehousing and sale of tools utilized in the construction trades, and

WHEREAS, this matter was referred to the Planning Board for their review and recommendation, and

WHEREAS, by letter dated March 24, 1986, the Planning Board recommended that the special permit be approved, and

WHEREAS, on the 15th day of April, 1986, this Town Board held a public hearing wherein all persons wishing to be heard were heard, and

WHEREAS, the Town Board finds:

1. That the proposed use of the premises is consistent with that which presently takes place at the subject premises; namely, the warehousing and sale of electrical equipment, and
2. That adequate parking will be available at the site.
3. That the use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood.
4. That the hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the town.

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RESOLUTIONS Continued

5. That the health, safety, welfare, comfort, convenience and order of the town will not be adversely affected by the authorized use.

6. That such use will be in harmony with and promote the general purposes and intent of this chapter.

7. That the premises have been used as an electronics wholesale/retail establishment known as D&S Electronics.

NOW, THEREFORE, BE IT

RESOLVED, that the special permit application of James and Elaine Villano to utilize premises located at Pulaski Street, Riverhead for the warehousing and sale of tools utilized in the construction trades, be and is hereby approved subject to any and all restrictions and/or limitations outlined in the Riverhead Town Code as may from time to time be amended, and be it further

RESOLVED, that the applicant shall submit a site plan which shall be reviewed by the Town Board and further that no signage of any nature shall be installed except upon approval of the Riverhead Town Board as required by the Riverhead Town Code; and be it further

RESOLVED, that the Town Clerk is authorized to forward a certified copy of this resolution to John and Elaine Villano and the Riverhead Building Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#242 RESOLUTION APPROVING SETTLEMENT OF CLAIM RE: CYNTHIA MARCUS v. TOWN OF RIVERHEAD.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, Speyer, Thurm, Perlberg & Heller, counsel assigned pursuant to the Policemen's Professional Insurance policy, recommended settlement of the claim of Cynthia Marcus in the amount of \$5,000.00 and of which \$2,500.00 represents the Town's share pursuant to the loss deductible provision of the policy.

NOW, THEREFORE, BE IT

RESOLVED, that the settlement of the claim of Cynthia Marcus in the amount of \$5,000.00, with the payment of \$2,500 by the Town, be and is hereby approved on the recommendation of Speyer, Thurm, Perlberg & Heller; and be it further

RESOLVED, that the Supervisor be and is hereby authorized to execute stipulations of settlement.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#243 APPROVES APPOINTMENT OF OFFICERS TO POLICE DEPARTMENT.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLUTIONS Continued

WHEREAS, vacancies currently exist within the Police Department for police officers; and

WHEREAS, the Suffolk County Civil Service Department has established an employment list; and

WHEREAS, the Town Board, Chief of Police and the Captain of Police have reviewed the applicants on such list and have held interviews to determine their fitness for employment in the Riverhead Town Police Department; and

WHEREAS, the Suffolk County Police Department, as an outside agency, has commenced training on May 5, 1986.

NOW, THEREFORE, BE IT

RESOLVED, that the following persons be and are hereby appointed as police officers with the Town of Riverhead:

Stephen T. Palmer, James M. Wooten; Richard M. Zak; Michael W. Fandrey; Michael P. Reed; George Fredricks; and Dennis M. Cavanagh; and be it further

RESOLVED, that the above officers shall be paid a yearly salary of \$19,053.77 beginning May 5, 1986.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#244 AWARDS BID FOR WATER METERS FOR THE WATER DISTRICT.

(See Water District Minutes)

#245 AUTHORIZES APPOINTMENT OF PARK ATTENDANTS TO RIVERHEAD RECREATION DEPARTMENT.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

RESOLVED, that Terrence O'Shea is hereby appointed to serve as Park Attendant effective May 12, 1986 to and including September 5, 1986, to be paid bi-weekly at the hourly rate of \$4.50 and to serve at the pleasure of the Town Board, and

BE IT FURTHER RESOLVED, that Lynn Rosenblad is hereby appointed to serve as Park Attendant effective June 30, 1986 to and including September 5, 1986, to be paid bi-weekly at the hourly rate of \$4.50 and to serve at the pleasure of the Town Board.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#246 TRANSFER OF FUNDS - POLICE DEPARTMENT.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that the Supervisor be and hereby is authorized to transfer the following:

RESOLUTIONS Continued

	<u>FROM</u>	<u>TO</u>
A3510.460 Building Repairs	\$300.00	
A3510.440 Cleaning Supplies		\$300.00

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#247 RESOLUTION CALLING UPON THE PRESIDENT OF THE UNITED STATES TO INSURE THE CITIZENS OF RIVERHEAD THAT THE NUCLEAR POWER PLANT AT SHOREHAM WILL NOT BE PERMITTED TO OPEN.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, the Shoreham Nuclear Power Plant, which has been constructed by the Long Island Lighting Company, is located at the border of Riverhead township; and

WHEREAS, the Federal Government has, by pre-emption, taken upon itself the obligation of insuring the safety of the citizens of Riverhead and her adjoining towns in Suffolk from nuclear accidents by designating the Nuclear Regulatory Commission in conjunction with the Federal Agency, FEMA, to determine whether the evacuation of Riverhad and Eastern Suffolk is possible in the event of a nuclear incident; and

WHEREAS, the geography and road networks of Riverhead make evacuation in the event of a nuclear disaster impossible; and

WHEREAS, it appears that the regional Director of FEMA, a Mr. Frank Petrone, resigned his position on April 14, 1986, because of his refusal to change the language in his official report criticizing L.I.L.C.O.'s February 13, 1986, Emergency Planning Exercise; and

WHEREAS, we are all mindful of the recent accident in the Soviet Union which demonstrates both the possibility for disaster and the unreliability of nuclear technology.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Riverhead hereby calls upon the President of the United States, as Chief Executive Officer of the affairs of the Nuclear Regulatory Commission and FEMA, to assure the citizens of the Town of Riverhead and Suffolk County that the Shoreham Nuclear Power Plant will not be permitted to operate; and be it further

RESOLVED, that only independent and impartial administrators should be permitted to evaluate the Lighting Company's evacuation plan; and be it further

RESOLVED, that the Town Clerk of the Town of Riverhead shall send a certified copy of this Resolution to President Ronald Reagan, Senators D'Amato and Moynihan, Congressman Carney FEMA Director Julius Becton, the Clerk of the Nuclear Regulatory Commission and the Secretary of the Department of Energy.

RESOLUTIONS Continued

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

Councilman Prusinowski, "Steve you said you wanted to get up here and say something on this resolution."

Steve Haizlip, "I am in receipt of a letter dated April 30th from the Federal Emergency Management Agency. And in this letter it says that FEMA has very specific responsibilities concerning the protection of public health and safety around a fixed nuclear power plant and we intend to meet that in a manner prescribed by law and regulations. Now, in the newspaper dated April 15th which I mentioned at the last meeting, Mr. Petrone said that he was ordered to change his report or get fired. Now, in here it said it is difficult for many to understand the latest development in this continuing problem around Shoreham. Despite your contention, this agency did not require FEMA former regional director Frank Petrone to alter his report on February 13th. Now there seems to be a conflict here."

Councilman Prusinowski, "Who signed that letter?"

Steve Haizlip, "Peg Malary."

Councilman Prusinowski, "Well generally when you deal with a bureacracy like that and the orders come from the top to do things like that, it wouldn't surprise me that a letter that you sent to that agency received a response like that."

Steve Haizlip, "For their information..."

Councilman Prusinowski, "Because what they're doing there is they're towing the line down the line. Because obvisouly, if this guy wouldn't change the report, obviously you're not going to get a letter that says; you're right Mr. Haizlip, we were wrong to fire this guy or make him resign because we wanted him to actually change the report so we'll put him back on the payroll. You're not going to get a letter like that."

Steve Haizlip, "Precisely. And this is why I'm up here."

Councilman Prusinowski, "And what you're saying is you don't believe that letter and you agree with our resolution."

Steve Haizlip, "I don't believe the letter and I agree with the resolution and this is one time I agree with the paper."

Councilman Prusinowski, "Thank you. Which newspaper is that?"

Steve Haizlip, "Newsday. Suffolk Life, believe me I planned to say it was the editorial."

RESOLUTIONS Continued

Councilman Prusinowski, "I would say that we're very anti-nuclear powerish or I get that feeling somehow in looking through the newspaper on a regular basis."

Steve Haizlip, "Now further to conclude this, I'll get right down from here. Sunday morning on Sunday morning news on channel 2, Mr. Petrone (and they were talking about the Soviet accident)...."

Councilman Prusinowski, "And he said don't worry about it."

Steve Haizlip, "Mr. Petrone was right on television because they had his picture and a tape and brought it right back again to where he said that he wanted to assure the safety of the people without the participation of the state and the county. So I don't...."

Councilman Prusinowski, "It doesn't surprise me that he said that."

Steve Haizlip, "It's a repeat and it's there. And I believe Mr. Petrone and Mr. Carney has received a letter and this is common knowledge and everybody knows about it where the President promised that until a good evacuation plan or a safe evacuation plan or proper or how ever you want to say it, it won't open. It looks like Mr. Becton being a three star general and has been appointed in FEMA and good at taking orders from military, he's got a job to do."

Councilman Prusinowski, "Well Steve, one good thing between the Soviet Union and us, we have an election coming up in November and I spoke to Mr. Carney yesterday and I think that letter is on his mind. I have a feeling there is about ten republicans and one democrat that are going to take him to task on that letter."

Steve Haizlip, "Ok."

Councilman Pike, "Can I."

Councilman Prusinowski, "Sure. This resolution originated from another town and I understand all the east end towns are passing this resolution tonight or their meetings are coming this week."

Councilman Pike, "Steve I wanted to point out a couple of things that I think you touch on here which are really interesting. Obviously this is not something that we have a great deal of control over. It's just an expression of opinion. But one of the things that happens with large institutions is that they develop their own institutional craziness for self-preservation. Anybody within L.I.L.C.O. who has criticized the Shoreham Nuclear Power Plant, got fired. Anybody who tried to control quality in the nuclear power plant, got fired. You now have at the government level, the agency that is supposed to be regulating the nuclear industry promoting it instead of regulating it. And it's a....."

RESOLUTIONS ContinuedCouncilman Pike, Continued

There are some economy of scales but these are blasphemies of scale and it's nice that people such as Mr. Petrone put their entire career in credibility, one man against this entire organization and to some extent we honor that sort of courage tonight in what little way we can because that was a very couragous act."

Councilman Prusinowski, "And we're going to proceed now to resolution 248."

#248 AUTHORIZES TOWN CLERK TO ADVERTISE NOTICE TO BIDDERS RE: RIVERHEAD SEWER DISTRICT, SEWAGE TREATMENT PLANT GRIT CHAMBER IMPROVEMENTS.

(See Sewer District and Scavenger Waste District Minutes)

#249 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: SPECIAL PERMIT APPLICATION OF YOUNG & YOUNG.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to the special permit application of Young & Young, Land Surveyors to expand their pre-existing office, more particularly located at the intersection of Ostrander Avenue and Corwin Street, Riverhead, New York.

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Allen Smith, Esq., attorney for the applicant.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 20th day of May, 1986, at 7:45 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the special permit application of Young & Young, Land Surveyors, to expand their pre-existing non-conforming office use in the Residence "C" Zoning District, which is located at the intersection of Ostrander Avenue and Corwin Street, Riverhead, New York.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#250 RESOLUTION CALLING SCOPING HEARING ON THE SPECIAL PERMIT OF ROBERT ENTENMANN TO CONSTRUCT AND OPERATE 222 CLUSTERED RESIDENTIAL DWELLING UNITS WITH ACCESSORY RECREATIONAL BUILDINGS AND AMENITIES IN A PROPOSED RECREATIONAL DISTRICT.

RESOLUTIONS Continued

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, an application has been made by Robert Entenmann for a change of zone for his property located on the Norht side of Sound Avenue, Town of Riverhead, New York (as more particularly bounded and described on EXHIBIT A annexed hereto), to Residence "C" with an imposition of Recreational Overlay District; and

WHEREAS, Robert Entenmann has also made application to construct and operate 222 clustered residential dwelling units with accessory recreational buildings and amenities in a proposed Recreational District; and

WHEREAS, the applicant has also made a petition to the Town Board to cause an extension of the Riverhead Water District to serve these condominium units; and

WHEREAS, the Town Board has, by resolution dated February 25, 1986, declared itself the lead agency for the purpose of requirements of the New York State Environmental Quality Review Act; and

WHEREAS, based upon a review of the Environmental Assessment Statement, the Town Board determines that the application is a Type I action and that as such an action, it is necessary for the applicant to prepare and submit a Draft Environmental Impact Statement for consideration; and

WHEREAS, the Town Board has decided to call a scoping hearing to more particularly determine issues to be addressed in the Draft Environmental Impact Statement; and

WHEREAS, the Town Board of the Town of Riverhead, as lead agency in the matter of the application of Robert Entenmann, for a change of zone to Residence "C" with the imposition of the Recreational Outlay District.

NOW, THEREFORE, BE IT

RESOLVED, that a special permit for construction and operation of 222 clustered residential dwelling units with accessory recreational buildings and amenities in a proposed Recreational District and the petition for the extension of the Riverhead Water District, determines, based upon the Environmental Assessment Statement submitted therewith, that these applications, which are classified as a Type I according to the New York State Environmental Quality Review Act, and the applicant is to submit a Draft Environmental Impact Statement subsequent to the scoping hearing ordered below; and be it further

RESOLVED, that a scoping hearing to discuss the issues to be addressed in the Draft Environmental Impact Statement covering the above-mentioned applications shall be heard before the Town Board of the Town of Riverhead at 200 Howell Avenue, Riverhead, New York, at 7:55 o'clock p.m. on the 20th day of May, 1986, from all persons wishing to be heard; and be it further

RESOLVED, that the Town Clerk shall publish a copy of this notice in the Riverhead News Review in the May 8, 1986, edition and post a copy of this notice and by serving a certified copy of this notice upon Allen M. Smith, Esq., the attorney for Robert Entenmann.

RESOLUTIONS Continued

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#251 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS FOR ONE (1) NEW 1986 4-TON HEATED ASPHALT TRANSPORT - HIGHWAY DEPT.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids on One (1) New 1986 4-Ton Heated Asphalt Transporter for use of the Town of Riverhead Highway Department,

AND BE IT RESOLVED, that specifications and forms for bidding be prepared by the Superintendent of Highways, and bids be returnable up to 11:30 a.m. on May 19, 1986 and be it further

RESOLVED, that the Town Clerk be and is hereby designated to open publicly and read aloud on May 19, 1986 at 11:30 a.m. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York all sealed bids bearing the designation "Bid On One (1) New 1986 - 4 Ton Heated Asphalt Transporter".

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#252 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS ON SALE OF SCRAP METAL AND USED EQUIPMENT - HIGHWAY DEPARTMENT.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids on Sale of Scrap Metal and Used Equipment, at the Town of Riverhead Highway Department

AND BE IT RESOLVED, that specifications and forms for bidding be prepared by the Superintendent of Highways, and bids be returnable up to 11:15 a.m. on May 19, 1986 and be it further

RESOLVED, that the Town Clerk be and is hereby designated to open publicly and read aloud on May 19, 1986 at 11:15 a.m. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead New York all sealed bids bearing the designation "Bid on Sale of Scrap Metal and Used Equipment".

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#253 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS TO FURNISH AND PLACE ASPHALT CONCRETE - HIGHWAY DEPARTMENT.

RESOLUTIONS Continued

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids to Furnish and Place Asphalt Concrete requirements for use of the Town of Riverhead Highway Department for one year from date of award,

AND BE IT RESOLVED, that specifications and forms for bidding be prepared by the Superintendent of Highways, and bids be returnable up to 11:35 a.n. on May 19, 1986 and be it further

RESOLVED, that the Town Clerk be and is hereby designated to open publicly and read aloud on May 19, 1986 at 11:35 a.m. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York all sealed bids bearing the designation "Bid to Furnish and Place Asphalt Concrete".

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#254 REJECTING BIDS FOR LIQUID ASPHALT - HIGHWAY DEPARTMENT.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, by Resolution dated March 18, 1986, the Town Board of the Town of Riverhead authorized solicitation for bids for Liquid Asphalt for Highway Dept. use.

WHEREAS, such bids were received on April 1, 1986, at 11:00 a.m., and

WHEREAS, the Town Clerk has prepared an Open Bid Report which has been reviewed by the Town Board of the Town of Riverhead, who have made their recommendations.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Riverhead rejects the bids received, and be it further

RESOLVED, that the Town Clerk is authorized to readvertise said Notice to Bidders.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#255 AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD RE: PART TIME HOME AIDE.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Town Clerk be and is hereby authorized to post and publish in the Classified Ads - Help Wanted Section of the News Review, Traveler Watchman, and The Suffolk Life, the following Help Wanted ad:

HELP WANTED

The Town of Riverhead is now accepting applications for the position of part-time Home Aide for the Senior Home Aide Program. Applicant's must be at least 55 years of age, reside in the Township of Riverhead, and have use of a personal vehicle. Applicants will be expected to do light housekeeping, shopping, errands and escorting for frail or handicapped senior citizens. Applications are available at the Community Development Agency Office, Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, Monday through Friday between 8:30 a.m. and 4:30 p.m. For information please call 727-3200, ext. 37. The Town of Riverhead is an equal opportunity employer. This position is funded by the New York State and Suffolk County Offices for the Aging and the Town of Riverhead.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#256 RESOLUTION GRANTING P.C. RICHARD AND SON PERMISSION TO CONDUCT A TENT SALE AT ROUTE 58, RIVERHEAD.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, this Town Board is in receipt of a request from P.C. Richard & Son for permission to conduct a tent sale at their Riverhead location on Route 58 from May 21, 1986, through June 4, 1986.

NOW, THEREFORE, BE IT

RESOLVED, that P.C. Richard & Son be and is hereby granted permission to conduct a tent sale at their Route 58 location for the period May 21, 1986, through June 4, 1986, pending receipt of a certificate of insurance by the Town Clerk; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward copies of this resolution to P.C. Richard & Son, the Riverhead Police Department and the Riverhead Building Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#257 AUTHORIZES APPOINTMENT OF 90-DAY TEMPORARY CLERK TYPIST TO JUSTICE COURT.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

RESOLVED, that CAROL ELLIS is hereby appointed to serve as temporary clerk typist to the Justice Court for a 90-day period commencing on May 7, 1986, up to and including August 6, 1986, to be paid bi-weekly at the hourly rate of \$5.00 and to serve at the pleasure of the Town Board.

RESOLUTIONS Continued

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#258 APPOINTS ALBERT COSTA TO THE POSITION OF PART-TIME CUSTODIAN WITH THE NUTRITION CENTER.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, the Town Board appointed Pernell Fulgram to the position of part-time custodian at the Nutrition Center effective April 16, 1986; and

WHEREAS, the Town Board has been advised that Pernell Fulgram has failed to report for work; and

WHEREAS, it is at the recommendation of Lois Seay that Albert Costa be appointed to the position of part-time custodian at the Nutrition Center.

NOW, THEREFORE, BE IT

RESOLVED, that Albert Costa be and is hereby appointed to the position of part-time custodian at the Nutrition Center effective May 1, 1986, at the hourly rate of compensation of \$4.50; and be it further

RESOLVED, that Resolution #223 appointing Pernell Fulgram be and is hereby rescinded; and be it further

RESOLVED, that a certified copy of this resolution be forwarded to Albert Costa and Lois Seay.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#259 AUTHORIZES APPOINTMENT OF PART-TIME CLERK TYPIST FOR PLANNING AND ZONING DEPARTMENTS.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that Fran Sadowski be and is hereby appointed to serve as part-time clerk typist to the Planning and Zoning Departments commencing on May 12, 1986, to be paid bi-weekly at the hourly rate of \$5.00 per hour and to serve at the pleasure of the Town Board.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#260 INCREASE AND IMPROVEMENTS TO SEWER DISTRICT GRIT CHAMBERS.

(See Sewer District Minutes)

370700
RESOLUTIONS Continued

#261 AUTHORIZES THE SOLICITATION FOR BIDS FOR ONE TON DUMP TRUCK FOR BUILDINGS AND GROUNDS.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

RESOLVED, that the Town Clerk be and hereby is authorized to advertise for sealed bids for the purchase of 1 One Ton Dump Truck for use by Buildings and Grounds Department, and be it further

RESOLVED, that the Town Clerk be and hereby is authorized to open and publicly read aloud said bids at 11:00 a.m. on May 27, 1986, at Town Hall, 200 Howell Avenue., Riverhead, New York; and to make a report of said bids to the Town Board at the next public meeting following the opening of the bids.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#262 AUTHORIZES DISPOSITION OF TOWN RECORDS.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, by the Town Board of the Town of Riverhead, that Irene J. Pendzick, Town Clerk, be and hereby is authorized to dispose of record item Number 1 (Dog Warden Reports); #407 (Dog Applications for License, and Dog License); #408 (Dog Kennel License); #417 (Dogs-License Monthly Report); #424 (Dogs Delinquent Dog Owners); #93 (Bingo, License to conduct games), on Records Retention and Disposition Schedule No. 19-TC-1, and be it

FURTHER RESOLVED, that the Clerk of this Board is hereby directed to furnish a Certified Copy of this Resolution to be forwarded to the Commissioner of Education.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

#263 AWARDS BID FOR CONSTRUCTION OF WATER MAINS - EXT. 25.

(See Water District Minutes)

#264 INCREASE AND IMPROVEMENT OF WATER DISTRICT PLANT NO. 1.

(See Water District Minutes)

#265 AUTHORIZES FILING APPLICATION FOR GRANT FOR PLANNING SEWAGE WORKS.

(See Sewer District Minutes)

RESOLUTIONS Continued

Richard Ehlers, "We're in the process of closing out the grants covering the engineering services for the construction of the scavenger waste project. We've received some correspondence from the State of New York where they have previously authorized a modest increase in the town share for those engineering services from approximately six thousand dollars up to eight thousand dollars of a total of eight hundred thousand dollars. And this will... Awarding this or authorizing the Supervisor to execute that grant amendment, the works already been completed."

BILLS

Bills submitted on abstract dated May 6, 1986 as follows:

General Town	\$195,324.90
AM	393.67
Highway	39,527.00
Capital Project	10,592.83
ST & SL	17,667.71
CF	922.29
Small Cities	305,883.38

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that subject to complete audit, the following bills be approved for payment.

General Town	\$195,324.90
AM	393.67
Highway	39,527.00
Capital Projects	10,592.83
ST & SL	17,667.71
CF	922.29
Small Cities	305,883.38


The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, absent.

The resolution was thereupon duly declared adopted.

Councilman Prusinowski, "Thank you very much for coming tonight. Without objection, this meeting is adjourned."

There being no further business on motion or vote, the meeting adjourned at 9:45 p.m.

IJP:nm


Irene J. Pendzick
Town Clerk